

KING'S CREEK PLANTATION

Jones Property Expansion
Request for Rezoning to EO and a Special Use Permit to Allow Interval
Ownership Development

January 27, 2005

Introduction

The current request of King's Creek Developers, LLC is to rezone portions of two existing parcels from RR (Rural Residential) to EO (Economic Opportunity) and to secure approval for a Special Use Permit (SUP) to allow the development of interval ownership structures. The subject properties are described as parcels 011-3-E and 011-3-F on the York County Assessor's Tax Map Series and are collectively referred to as the Jones Property.

Comprehensive Plan Consistency

Both parcels lie within Census Tract 507 and are designated in the "Charting the Course to 2015: The York County Comprehensive Plan" document for Economic Opportunity use. This designation "recognizes the presence of a full I-64 interchange and the potential for extension of public utilities to serve a mix of office, commercial, **tourist-related**, and light industrial uses. Any development proposals in this area should be subject to design and landscaping standards that will ensure protection of the scenic vistas and integrity of the Colonial Parkway."

The expansion of the King's Creek Plantation resort onto the subject properties will:

1. continue the implementation of the Comprehensive Plan through rezoning parcels from RR to EO that are planned for Economic Opportunity; and
2. extend public utilities within the Rte. 199 corridor; and
3. facilitate the continued construction of revenue-producing, tourism-based development.

The existing King's Creek Plantation (KCP) project, while only 24% built-out, generates **local tax** revenue from all tax categories in excess of **\$850,000 annually**. **Full-time employment** at KCP totals **125** with total **annual payroll in excess of \$6,500,000**. Additionally, as a result of KCP's promotional marketing efforts which bring thousands of prospective customers into the area annually and through the vacation visits by the timeshare owners themselves, tourism visitation in and around York County is enhanced and substantial multiplier effect revenues accrue to the County through lodging, meals and sales tax receipts.

While not visible from the Colonial Parkway, the KCP project as a whole presents a favorable "first impression" to tourists and visitors traveling to the parkway from I-64 along the Rte. 199 corridor. The proposed expansion will continue the architectural theme introduced in the first five phases of KCP, and landscaping treatments will similarly complement the extensive landscaping installed in the first five phases.

Project Proposal

The subject properties comprise two existing parcels of record. Two (2) one and a half acre each residential parcels are proposed to be subdivided out of the subject properties upon approval of the rezoning and Special Use Permit (SUP) to provide two homesites for the Sellers. These two homesites (one containing the existing home of Mrs. Jones and the other intended to accommodate a proposed home for Mrs. Jones' daughter) will retain their existing RR zoning and will utilize existing and proposed on-site sewage disposal systems. Assuming approval of the current rezoning and SUP requests, and at such time as the property subject to this application is developed for interval ownership use, public sewer will be extended to the two homesites parcels from existing King's Creek Plantation. Once the two homesites are served by both public water and public sewer, the parcels will qualify for a minimum lot size of one acre and will be at that time further subdivided to meet the minimum one acre lot size. The land area subdivided out of each of the two homesite lots will be conveyed to the developers of King's Creek Plantation and thereafter become the basis for a second rezoning and SUP request to match the current request, with no additional units sought at that time.

The current rezoning and SUP request proposes up to four hundred (400) additional interval ownership units beyond the 1,100 units previously approved for King's Creek Plantation through Board of Supervisors approval of ZM-24-97 and UP-524-97 on December 17, 1997. The additional units proposed for the Jones Property will not exceed 400 interval ownership units which may be located on buildings containing one to four stories; the interval ownership units may be attached or detached.

An interval ownership unit is defined as one or two (i.e. a principal and a lock-out) separate facilities (each to include living, cooking, sleeping and bath functions) within a structure that may or may not be consolidated to compose a single interval ownership unit, or that may be separated into two separate interval ownership facilities for purposes of sale and ownership. In either event, a single interval ownership unit for the purposes of this project includes either or both separate facilities.

No units will exceed the maximum building height of 75 feet. Parking will continue to be provided on the basis of 2.6 spaces for each "unit" that includes a principal unit and a lockout unit; if non-lockout units are proposed, parking will be provided at the rate of 1.3 spaces per unit. Site-specific stream assessments conducted in June of 2004 reveal the presence of perennial streams and resultant Chesapeake Bay Protection Areas on the site. All future development on the Jones property will be consistent with State and local requirements for CBPA's and will include appropriate stormwater best management

practices to insure compliance with the County's Environmental Management Overlay district.

The expansion area will secure routine vehicular access through the existing Tranquility Drive Intersection at Rte.199/Penniman Road only – no additional full service entrances are proposed onto Penniman Road. Emergency access only, directly into the subject properties, may be possible through gated access via the subject properties' frontage on Penniman Road if deemed beneficial by York County Fire and Life Safety.

The Sketch Plan for the current rezoning/SUP request depicts only the lands subject to the current request. The Sellers have agreed to accommodate all required transitional buffers on their homesites, above and beyond the land areas required for both primary and reserve drainfields, thereby precluding the requirement for transitional buffers on the Jones Property Expansion. However, because several adjacent properties not a party to the Jones Property Expansion are also zoned RR, transitional buffers protecting these parcels are provided on portions of the Jones Property parcels currently proposed to be rezoned. All proposed transitional buffers are reflected on the Sketch Plan. The Sketch Plan also depicts proposed parcel access, RPAs, areas of slope greater than 25% and known or suspected wetland areas (Corps of Engineers jurisdictional determination pending). A Phase I archaeological survey was completed in July, 2004, revealing no historic or cultural resources and recommending no further work on the property. Copies of this report are included in the submission for the current rezoning/SUP request. One copy is to be retained by the County; we respectfully request that the County forward the other two copies to the Virginia Department of Historic Resources for review and confirmation of the "no further work necessary" conclusions.